

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
**Akintade Oyedele Dare.**

Serial No.: 09/741,426

Group Art Unit: 1634

Filed: December 21, 2000

Examiners: Goldberg

For: **Method and Kit for Quantitating  
Genomic DNA Damage and Repair  
Capacity**

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September 14, 2002

## SUPPLEMENTAL CLAIM AMENDMENT

Commissioner of Patent  
and Trademarks  
Washington, D.C. 20231

IN THE CLAIMS

As a supplement to the amendment filed August 22, 2002, please replace claim 7 with  
the following substitute claim 7:

7. (Twice Amended) A method of quantitatively assaying damage of sample DNA having abasic sites, said method comprising the steps of providing at respective regions of an analysis plate respective surface treatment solutions with sample DNA and multiple control DNA specimens wherein each control DNA specimen has a known extent of abasic sites, binding residues of the sample DNA and the control DNA specimens at the respective regions by removing unbound DNA and excess surface treatment solutions, and determining

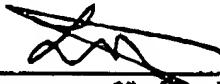
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an indication of tagged abasic sites of the sample DNA and control DNA specimens bound to the analysis plate by comparing the sample DNA with multiple control DNA specimens.

#### REMARKS

The amendment removes undue limitations of claim 7, as previously presented. As described in the specification the order of tagging is immaterial to the invention (Specification page. 4, line 2; page 20, line 13), DNA may be tagged at any point in the sequence. A redline version of claim 7 is attached.

Respectfully submitted,

  
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7. (Twice Amended) A method of quantitatively assaying damage of sample DNA having abasic sites, said method comprising the steps of [depositing on] providing at respective regions of an analysis plate respective surface treatment solutions [containing] with sample DNA and multiple control DNA specimens wherein each control DNA specimen has a known extent of abasic sites, binding residues of the sample DNA and the control DNA specimens [to the analysis plate] at the respective regions by removing unbound DNA and excess surface treatment solutions, [tagging aldehyde groups associated with abasic sites of the sample and control DNA bound to the analysis plate,] and [providing] determining an indication of tagged abasic sites of the sample DNA and control DNA specimens bound to the analysis plate[, and] by comparing the sample DNA with multiple control DNA specimens [to determine the extent of abasic sites in the sample DNA].

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**Supplement Claim Amendment Attached.**